

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF WEST VIRGINIA

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SCOTT T. BALLOCK,

Plaintiff

vs.

ELLEN RUTH COSTLOW

STATE TROOPER MICHAEL KIEF,

STATE TROOPER RONNIE M. GASKINS,

STATE TROOPER CHRIS BERRY,

Defendants

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Case No.

1:17-CV-52

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DEPOSITION OF
TROOPER CHRIS BERRY
May 29, 2019

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EXHIBIT 3

1 phone call was just more when --- what's going on?
2 What's this all about?

3 And you know, he told me he said, well, there's
4 mention you have an affair. And I just --- I laughed
5 about it, because I couldn't figure out where that came
6 from.

7 But now after seeing this report, I can see ---
8 and after hearing all the testimonies I can see why now.

9 Q. Do you know Kenny Ice?

10 A. Never met him.

11 Q. Okay.

12 So you talked with Sergeant Kief on the phone.
13 You followed up with an in-person discussion, during
14 which you showed him your phone.

15 Does that cover everything that ever passed
16 between you and Sergeant Kief concerning Ellen Ballock?

17 A. Yes, sir. It was all done --- it was like a
18 couple days after it, because I was on days off when he
19 contacted me.

20 Q. Uh-huh (yes). Okay.

21 So have you, to your knowledge, had any
22 communication with Ellen Ballock, now Ellen Costlow, of
23 any kind?

24 A. After this case?